

Appln No. 09/999,903
Amdt date October 3, 2003
Reply to Office action of June 3, 2003

REMARKS/ARGUMENTS

Claims 1, 4, 5, 7, 8, 12, 13 and 28-33 are pending in this application, of which claims 1 and 30 are independent. Claims 1, 4, 5, 7, 8 and 13 have been amended. Claims 28-33 have been added. Claim 2 has been cancelled. The amendments and new claims add no new matter and find full support in the application as originally filed. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Drawings

The Examiner has objected to the drawings, stating that "the relationship of the third slide to the other two slides when the lock is engaged must be shown of the feature(s) canceled from the claim(s)." Claim 1 specifies "the third drawer slide being nested within the slideways of the second drawer slide." This relationship is shown, for example in FIG. 1. Accordingly, the FIGs. comply with 37 CFR 1.83(a) and Applicant respectfully requests that the objection to the drawings be withdrawn.

Rejections Under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 1, 2, 4, 5, 7, 8, 12, and 13 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that:

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1. "the specification does not define slides with web and arms or emboss with a portion";

2. "[c]laim 1 is misdescriptive because Figure 7 does not show a 'biased tab' only a tab; the claim is further misdescriptive because the tab engages (a vertical) part of the emboss and does not 'move onto'";

3. "the second slide is not prevented from closing relative to the third slide rather the second slide, when in an open position is prevented from moving to a closed position as the third slide moves toward a closed position until the third slide releases the tab from engagement with the emboss"; and

4. "[c]laim 2 is objected to because gravity is not a biasing force."

With respect to the Examiner's first contention, Applicant respectfully submits that objected to portions of claim 1 are supported for example in the summary at page 1, line 32 through page 2, line 11 and by original claim 1 which forms a part of the specification. Nonetheless, the claims have been amended to recite first drawer slide slideways rather than first drawer slide arms; second drawer slide slideways rather than second drawer slide arms; and third drawer slide slider sections rather than third drawer slide arms. However, Applicant respectfully submits that the substitution of the terms slideways and sliders for the term arms does not change the meaning of the claims in a narrowing fashion because the term slideways and sliders (which are found in the original specification, for example at approximately page 6, lines 18-25; and approximately page 8, lines 13-15) are at least as broad as the term arms.

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With respect to the Examiner's second contention, claim 1 has been amended to recite a tab, rather than a biased tab; and claim 1 has been amended to recite that the tab lockingly engages the emboss rather than moves unto the emboss.

With respect to the Examiner's third contention, claim 1 has been amended to recite "a movement of the second drawer slide in a closing direction causes the tab to lockingly engage the emboss, thereby preventing the second drawer slide from further movement in the closing direction" rather than "thereby preventing the second drawer slide from closing relative to the third drawer slide."

With respect to the Examiner's forth contention, claim 1 has been amended to recite "by the action of its own weight" rather than "biased by gravity." Applicant believes that the foregoing amendments, if anything, broaden the relevant claims. Claim 2 has been cancelled. Accordingly, Applicant respectfully requests that the rejection of claims 1, 4, 5, 7, 8, 12, and 13 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1, 2, 4, 5, 7, 8 and 12 under 35 U.S.C. § 102(b) as allegedly being anticipated by Papp (U.S. Patent No. 4,560,212). Applicant respectfully traverses this rejection. Claim 1 is directed to a telescopic drawer slide comprising first, second and third drawer slides and a lock comprising a tab and an emboss, wherein "the tab moves from a neutral position to a locking position by the action of its own weight when the tab is moved past the emboss in an opening direction."

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Papp is directed to a ball bearing slide assembly having an inner slide member 19, an intermediate slide member 17 and an outer slide member 18. As shown in FIGs. 8 and 9 and as described in col. 4, lines 16-46, a latch 60 is mounted to the intermediate slide 17 and a tab 65 is mounted to the outer member 18. The latch 60 is attached to a wire spring 63 that biases the latch 60 in a counter-clockwise direction as viewed from FIG. 8.

When the intermediate member 17 is in an extended position, a stop surface 64 of the latch 60 contacts the tab 65 to prevent the inward movement of the intermediate member 17 with respect to the outer member 18. The intermediate member 17 remains in the locked, extended position until the inner member 19 is moved into contact with a cam surface 68 of the latch 60, causing the latch 60 to overcome the spring force of the wire spring 63 and rotate the stop surface 64 of the latch 60 below the tab 65 to disengage the stop surface 64 of the latch 60 from the tab and allow the intermediate member 17 to retract relative to the outer member 18. When the latch 60 is moved past the tab 65 in an opening direction, the wire spring 63 rotates the stop surface 64 of the latch 60 back above the tab 65 to reengage the tab and again prevent the inward movement of the intermediate member 17 with respect to the outer member 18. As such, Papp does not disclose a tab that "moves from a neutral position to a locking position by the action of its own weight when the tab is moved past the emboss in an opening direction," as recited by claim 1. In fact, if the lock of Papp did not include the wire spring 63, the stop surface 64 of the latch 60 would always be disposed below the tab 65 and the stop surface 64 would never engage the tab 65. Consequently, Papp does not anticipate claim 1. Claims 4, 5, 7, 8 and 12 depend from claim 1. Claim 1 is now believed to be in condition for allowance over Papp. As

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such, Applicant submits that claims 4, 5, 7, 8 and 12 are also allowable over Papp as being dependent from an allowable base claim and for the additional limitations they contain therein.

Claim 7 recites that the "slideways of the first drawer slide have a lateral portion that is bowed toward the slideways of the second drawer slide, and wherein the bowed lateral portion defines a contact area for sliding contact with the slideway of the second drawer slide." Papp on the other discloses a ball bearing slide assembly, wherein none of the slides 17, 18 and 19 directly contact each other. Rather the slides 17, 18 and 19 are connected via ball bearings 26 and 27. Consequently, Papp does not disclose a first drawer slide having "a contact area for sliding contact with the slideway of the second drawer slide" as recited in claim 7. Therefore, for this additional reason, Applicant submits that claim 7 is allowable over Papp

Claim 8 recites that "the slideways of the second drawer slide have a lateral portion that defines a sliding area for sliding contact with the slider sections of the first of the second drawer slide." Papp discloses a ball bearing slide assembly, wherein none of the slides 17, 18 and 19 directly contact each other. Rather the slides 17, 18 and 19 are connected via ball bearings 26 and 27. Consequently, Papp does not disclose a second drawer slide having "a sliding area for sliding contact with the slider sections of the first of the second drawer slide" as recited in claim 8. Therefore, for this additional reason, Applicant submits that claim 8 is allowable over Papp. Claim 2 has been cancelled. Accordingly, Applicant respectfully requests that the rejection of claims 1, 4, 5, 7, 8 and 12 over Papp under 35 U.S.C. § 102(b) be withdrawn.

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Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claim 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Papp in further view of the ordinary skill of one versed in the art. Applicant respectfully traverses this rejection. As previously argued, Applicant submits that claim 1 is in condition for allowance over Papp. Claim 13 depends from claim 1. As such, Applicant submits that claim 13 is also allowable over Papp as being dependent from an allowable base claim and for the additional limitations it contains therein. Accordingly, Applicant respectfully requests that the rejection of claim 13 over Papp under 35 U.S.C. § 103(a) be withdrawn.

New Claims

Claims 27-29 have been added. As previously argued, Applicant submits that claim 1 is in condition for allowance over Papp. Claim 27-29 depend from claim 1. As such, Applicant submits that claims 27-29 are also allowable over Papp as being dependent from an allowable base claim and for the additional limitations they contain therein.

For example, claim 27 recites that "the tab is substantially symmetric." When the tab is substantially symmetric, the tab is "un-handed," i.e. the tab may be placed on a drawer slide that is intended to be a right drawer slide or the tab may be placed on a drawer slide that is intended to be a left drawer slide. As can be seen on in FIG. 8 of Papp, the latch 60 is not symmetric. As such, Papp does not disclose a "tab that is substantially symmetric" as recited by claim 27.

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Therefore, for this additional reason, Applicant submits that claim 27 is allowable over Papp

Claim 28 recites that "the emboss is substantially symmetric." When the emboss is substantially symmetric, the emboss is "un-handed." As can be seen on in FIG. 8 of Papp, the tab 65 is not symmetric. As such, Papp does not disclose an "emboss that is substantially symmetric" as recited by claim 28. Therefore, for this additional reason, Applicant submits that claim 28 is allowable over Papp

New independent claim 30 is directed to a telescopic drawer slide comprising first, second and third drawer slides and a lock comprising a tab that is "moveable from a neutral position to a locking position by the action of its own weight." The latch 60 of Papp is only moveable from a neutral position to a locking position by the action of wire spring 63. As such, Papp does not disclose a tab that is "moveable from a neutral position to a locking position by the action of its own weight" as recited in claim 30. Consequently, Applicant respectfully submits that claim 30 is in condition for allowance over Papp. Claims 31-33 depend from claim 30. As such, Applicant submits that claims 31-33 are also allowable over Papp as being dependent from an allowable base claim and for the additional limitations they contain therein.

For example, claim 31 recites that "the tab is substantially symmetric." The latch 60 of Papp is not symmetric. As such, Papp does not disclose a "tab that is substantially symmetric" as recited by claim 28. Therefore, for this additional reason, Applicant submits that claim 31 is allowable over Papp

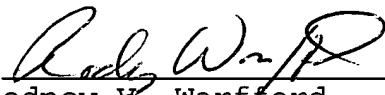
Claim 32 recites that "the emboss is substantially symmetric." The tab 65 of Papp is not symmetric. As such, Papp does not disclose an "emboss that is substantially symmetric" as

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recited by claim 32. Therefore, for this additional reason, Applicant submits that claim 32 is allowable over Papp

In view of the above amendments and remarks, Applicant respectfully submits that claims 1, 4, 5, 7, 8, 12, 13 and 28-33 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated.

Respectfully submitted,
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